

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JAMES OBERGEFELL and
JOHN ARTHUR,

Plaintiffs,

vs.

RICHARD HODGES, et al,

Defendants.

: Case No. 1:13-cv-501
:
: Judge Timothy S. Black
:
: DECLARATION OF ALPHONSE A
: GERHARDSTEIN IN SUPPORT
: OF REQUEST FOR ATTORNEY
: FEES
:
:

I, Alphonse A. Gerhardstein, pursuant to 28 U.S.C. §1746, declare under the penalty of perjury that the following is true and correct.

1. I was the lead attorney on this case for Plaintiffs John Arthur, James Obergefell, David Brian Michener, and Robert Grunn in *Obergefell v. Hodges* and the Plaintiff married couples Brittani Henry and Bryce (formerly Brittni) Rogers, Nicole and Pamela Yorksmith, Kelly Noe and Kelly McCracken, and Joseph Vitale and Robert Talmas in *Henry v. Hodges*.
2. This declaration supplements the declaration I filed in February 2014 (Doc. 70-1) which includes a copy of my vita.
3. The work done by associates Ms. Gonzalez Martin and Adam Gerhardstein, my staff, and me, was all necessary work on the case. The staff who worked this case include law clerks, paralegals, and law graduates. Based on my background, nearly 40 years of experience and skill, the hours requested in the fee application for Gerhardstein & Branch attorneys and staffs have been necessarily expended.

4. After Defendant Hodges appealed the decisions in both *Obergefell* and *Henry*, the Sixth Circuit consolidated the cases for argument but maintained separate briefing schedules on appeal. Once the cases were consolidated on appeal the legal research, legal theories, briefing, and arguments overlapped. The work all the attorneys did on both cases was necessary. Legal work was divided among team members so that the person best suited for the assignment was responsible for the work. For example, Ms. Sommer of Lambda took the lead on drafting the *Henry* briefs in the Sixth Circuit given her writing skills and experience. The ACLU took the lead on drafting the *Obergefell* briefs in the Sixth Circuit. The petition for certiorari, and the merits briefing in the Supreme Court also reflects very heavy input from the excellent attorneys at LAMBDA and the ACLU. Law clerks were given tasks best suited for their skill level. Each of the attorneys was incredibly efficient in their billing practices, minimizing duplication when all attorneys need to communicate together or participate in drafting, editing, and strategizing on the case.
5. All work was coordinated with the ACLU and Lambda attorneys. In addition, we needed to coordinate the work on *Obergefell* and *Henry* with the litigation teams from Tennessee, Kentucky and Michigan. The ACLU attorneys were also co-counsel in the Kentucky case, so their time that was devoted to both cases is equally split between *Obergefell* and *Bourke v. Beshear*.
6. At the Supreme Court level there was a significant amount of work to do in a very short period of time given that our petition for certiorari needed to be filed within eight days of the Sixth Circuit issuing its decision if we were going to obtain Supreme Court review during the 2014 term. At times multiple attorneys were in

communication with each other via phone calls and emails. Much of the time for these communications was not even billed, but all of it was necessary. Multiple attorneys participated in drafting and editing critical documents and in preparing for oral argument. All of this time was necessary as well given the wide range of expertise among the ACLU and Lambda attorneys and the rapidly evolving state of the law. During the pendency of the appeals state court judges, district court judges and circuit court judges were issuing decisions all over the country. As these cases were analyzed by our team, our strategy and theories were amended to incorporate or respond to the evolving law. In addition, over 130 amicus briefs were filed in the Supreme Court alone. These briefs needed to be read and addressed in our briefing and arguments. Given the amount of work that needed to be done in such a short amount of time the hours put in by the attorneys and staff in *Obergefell* and *Henry* were all very reasonable.

7. Hundreds of hours of time have not been included in the fee petition. This includes time spent by attorneys from the ACLU, Lambda, me, and others who did not bill for every call, email, or short task. In addition, although considerable time was spent with the media educating Ohioans and the public on what the various decisions meant in our cases, we chose not to include those hours in this petition. Additionally, we have not included any time for Douglas Hallward-Driemier, or his firm Ropes & Gray LLP. Mr. Hallward-Driemier was the oralist who argued the case in the Supreme Court on Question 2 which involved the marriage recognition arguments in *Obergefell*, *Henry*, *Tanco v. Haslam* (the Tennessee case), and *Bourke v. Beshear* (the Kentucky case). Since Mr. Hallward-Driemier was the counsel of record in the

- Supreme Court for the *Tanco* plaintiffs, they will request his time in their fee petition (which is not yet filed).
8. A fee enhancement is appropriate in this case because of the results achieved in *Obergefell* and *Henry*, which resulted in a landmark Supreme Court decision holding that the Fourteenth Amendment to the U.S. Constitution prohibited states, including Ohio, from recognizing same sex marriages. The same arguments that supported reversal in *Obergefell* and *Henry* supported the second holding that the Fourteenth Amendment requires states, including Ohio, to license same sex marriages. These results were life changing for Jim Obergefell and David Michener who wanted their marriages to be valued after their husband's death. The results were life changing for the parents and children in the *Henry* case. More importantly, *Obergefell* changed the lives of thousands of parents and their children throughout Ohio and the entire country.
 9. I have represented LGBT people for over 30 years. This is not easy work. While I am used to representing unpopular people, these cases attract negative attention and are undesirable to many litigators. Our office received negative hate mail during the litigation, including from supporters of LGBT rights who were angry we appealed. There was a concern the Supreme Court would rule against us and thus un-do all the positive results across the circuits. The undesirability of the cases also supports a fee enhancement.
 10. The fees requested for all attorneys comport with and are reasonable in light of the factors contained in Ohio Rules of Professional Conduct 1.5 insofar as they accurately reflect the time and labor required in the prosecution of this matter, the

difficulty of the questions involved, the skill required to perform the work properly, comport with the fees customarily charged by others for similar legal services, and are appropriate in light of the results obtained.

11. My billing rate was \$400 per hour from January 2007 until April 2012. It increased to \$450 in April 2012 and to \$475 per hour in May 2015.
12. The rates for the paralegals are \$100 per hour. Law graduates are people who graduated from law school but have not passed the Ohio bar exam or who are employed as non-lawyers. The law graduate rate is \$130 per hour. Law clerks are billed at \$85 per hour.
9. I exercised billing judgment at the time the work was recorded and did not record every short assignment, email, conversation, or phone call. I have reviewed each time entry and made a good faith effort to exclude hours that are excessive, redundant, or otherwise unnecessary. Thus, compensation is not sought for all the work performed. All staff are instructed to exercise billing judgment at the time the work is recorded and are supervised by me in this regard. Not all time worked on the case has been billed. All my time entered on the case contemporaneous with the work done.
10. Plaintiff requests fees for work done by Gerhardstein & Branch on the case as shown in Exhibit 1.
11. The total expenses Gerhardstein & Branch advanced for *Obergefell* are \$26,591.42 and for *Henry* are \$900.75. These numbers are documented on the last pages of the time sheets attached as Exhibit 1. In addition, G&B incurred \$184.35 in copy costs that are not reflected in Exhibit 1. Receipts and other proof of expenses are available

on request. This number includes the expenses requested in the first fee motion, Doc. 70. In addition, the Supreme Court of the United States (SCOTUS) ordered Plaintiffs to recover SCOTUS clerk costs of \$900 and costs for printing of the record of \$25,875. The *Obergefell* and *Henry* Plaintiffs are allocated one-third of these costs. Thus, in addition to the costs the firm advanced, Plaintiffs also seek an award of SCOTUS costs in the amount of \$8,925.00. The total expenses G&B request is \$36,601.52.

/s/ Alphonse A. Gerhardstein

Date: September 11, 2015

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MARRIAGE

Obergefell Case

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09/11/2015

Account No: 6509-00

STATEMENT NO: 1

Interim Statement

		Hours
07/12/2013	AAG General Issues - research issues	2.00
07/16/2013	AAG Draft complaint, research law, develop facts, outline next steps on research	4.50
	AAG General Issues - email with client and cocounsel	0.50
	AA Office conference and research w/AG on marriage case.	0.30
07/17/2013	AA Read and edit complaint.	0.50
	AAG General Issues - go to client home and meet them and discuss case	2.00
	JLB Research claims against dept. health and edit complaint	1.30
	AAG Draft edits to complaint, research, review memo, identify tasks, email client	1.70
07/18/2013	AAG Draft affidavit, emails with client	1.00
	AAG Draft affidavit and edit complaint and continue research	3.50
	AAG Draft and research memo and order and direct law clerk research	3.70
	AAG Draft edits to pleadings and review research on how ohio addresses opposite sex marriages in other states that do not comply with ohio law	0.50
	LC Research: Irreparable harm for injunctive relief	9.30
	AA draft research memo	7.30
	AAG Draft and research pleadings	5.60
	JLB Research irreparable harm argument and venue claims; research venue and defendants	2.40
07/19/2013	AA Edit pleadings	5.40
	JLB Draft edits to Motion and Complaint	0.70
	JLB General Issues contact Opposing counsel, final review of pleadings	0.50
	LC research first cousin marriage	2.80
	AA Conference call and draft stipulations	2.50
	AAG General Issues - edit all pleadings and filings, telephone conference with and email client, status conf court, communicate opposing counsel, assign research re open issues	8.00
	JLB conference with Court and counsel, t/c City attorneys	0.50
07/20/2013	JLB Draft edits to stips and research IH argument	1.30
	AAG Draft and research stip and or declaration with city, supp brief on irrep harm	3.00
07/21/2013	AAG General Issues - emails and telephone conference with with client re hearing	0.30

		Hours
	AAG General Issues - prep for hearing and set up tasks for help on it	0.40
	AAG General Issues - draft trial brief and telephone conference with resource people, telephone conference with cl	2.10
	JLB Telephone conference with OC re stipulations, draft summary of same	0.70
	JLB Research and draft argument on Irreparable Harm ("IH")	5.00
	JLB Draft IH argument	1.60
07/22/2013	AAG Draft edits to tro memo	1.20
	JLB Draft edits to trial memo	0.50
	LC 7/22 Drafting questionnaire for other potential clients. Reviewing city and state memo.	1.00
	AA Prepare for hearing and hearing on TRO	5.50
	LC Researching when equal protection trumps full faith and credit.	1.30
	AA meet with AG and JB and read order and TRO	1.00
	AAG General Issues prep for and attend hearing, meet with client and cocounsel, address response from public and review ruling	9.00
	JLB Trial/hearing prep for, attend, and discuss hearing with client	3.75
07/23/2013	AA draft order	0.50
	AAG General Issues - conf client re spring grove, other issues, email defense counsel	1.00
	AA phone call to KY lawyer (.1); discuss case with AG (.2); phone call with ACLU (.6)	0.90
	JLB General Issues review info from potential clients	0.70
07/24/2013	PA1 Serve complaint	0.90
	AAG General Issues - telephone conference with various national groups and atty seeking intervention, telephone conference with client, review ideas on case strategy	3.00
07/25/2013	AA Research venue	2.50
	AAG General Issues - telephone conference with resources re strategy, telephone conference with jb, telephone conference with Bridget, email defense, email client	2.00
	AA read emails re stipulations and cases in other states	0.60
07/26/2013	AAG General Issues - respond to emails, telephone conference with state defense counsel, draft summary email afterwards, email cc counsel with ideas for next steps	2.00
	AA research KY case	0.40
07/27/2013	AAG General Issues - research, review and respond to emails re status and strategy	2.00
07/30/2013	AA Telephone conference with court	0.30
	AAG General Issues - prep for and participate in conf call with court and counsel, set tasks	2.00
	JLB Telephone conference with court and OC re status, second call with AG, review tasks from AG	0.70
	LC Collection of Windsor documents. Prelim/Perm Injunctions, District Court briefings, etc., Memo on application to case	1.60
	AA Casemap and discussion with law clerk (1); calls to potential clients (.2)	1.20

			Hours
	LC	research restatements	5.60
07/31/2013	AA	research losses (.2); calls to potential client (.1); call with client (.4)	0.70
	AA	draft memo and research	1.20
	AA	research declaratory relief	1.00
	AA	Read and email ag re PA case decided today	0.40
08/01/2013	LC	research legal age for marriage	5.50
	AAG	General Issues - review strategy with ACLU and decide on same	1.00
	AAG	General Issues - plan case, email state and Lisa, research	1.00
	AA	read emails re strategy and memo from Law Clerk	1.00
	AA	Research and draft memo on relief for all couples without class action	3.30
08/02/2013	AA	General Issues - research and respond to emails	1.00
	LC	Reviewing commission history on Ohio DOMA and video of floor debates.	1.80
08/04/2013	AA	Research - read law review articles on marriage equality and related topics	3.00
	AA	research current litigation in other states (.2); read law review article re due process argument (1)	1.20
08/05/2013	AA	call to potential client (.2); read MI law review article (.8); conf. call with ACLU (1)	2.00
	AAG	General Issues - prep for and do conf call with Meeks and ACLU re case issues and strategy	1.80
08/06/2013	AAG	General Issues - plan next steps	0.30
	AA	researching Ohio code re: losses (1.7); phone call with counsel and case planning with AG (1)	2.70
	LC	research potential experts	1.90
	LC	Collection of amici briefs	1.00
	AAG	General Issues - draft stipulations, work on strategy, telephone conference with defense counsel, draft case management plan, contact potential experts, review state interest materials, outline deca action issues, draft schedule	7.10
08/07/2013	LC	Pulling legis on early version of Ohio DOMA, searching for video on earlier version of Ohio DOMA, selecting parts of video to be transcribed.	1.30
	LC	Researching potential experts	1.00
	AAG	General Issues - research, review emails, edit case management plan	1.20
	AAG	General Issues - meet with clients and email with aclu and defense counsel re various issues	1.50
	AA	review stipulations and case mgmt plan (.1); draft perm inj order and research (2.9); revise stipulations (.5)	3.50
	LC	Research potential expert witnesses	2.00
	AAG	Research same sex recognition	1.00
08/08/2013	AAG	Draft emails with potential experts	0.30
	AA	research re: as applied versus facial challenge	0.20
	AA	phone call to court re: transcript (.1); phone calls to potential clients/witnesses (.6)	0.70
	AAG	Telephone conference with resource people and email re experts	0.40
08/09/2013	AAG	General Issues - review draft order, research, issues and strategy and tasks	

		Hours
	with Jaci	0.50
AAG	General Issues - prep for and do conf call with deft, strategize and send emails as follow up to various folks	2.00
AAG	Draft edits final order	0.20
AAG	General Issues organize file and correspond re final order	0.70
LC	Reviewing Marriage Legislative History Videos.	0.70
AA	research/draft re: losses and draft order (1.5); phone conference with counsel (.5); research proper parties issue (.3)	2.30
LC	Pulling and reviewing Amici briefs from Windsor	0.70
AA	phone call with ct re transcript (.1)	0.10
08/11/2013	AAG General Issues - email with experts and research	0.70
08/12/2013	AAG General Issues - telephone conference with becker, peplau, fulcher, send emails confirming retainer and scope, prep for calls, study materials	2.70
	LC searching for expert reports from Perry v. Hollingsworth	1.70
	LC searching for expert statements from Perry	0.70
	AA read emails re experts (.1); research and email to ag on defendants (1.4)	1.50
08/13/2013	AAG Research procedure issues	0.70
	JLB Office conference with court and co-counsel re case plan	1.00
	AAG General Issues - prep for and attend status conf, meet with cocounsel re tasks and strategy and legal theory, email with defense re case plan and edits to TRO	3.50
	AA research and review changes to case mgmt plan (1); status conference and case planning with co counsel (1)	2.00
	AAG General Issues - review and respond to emails re case schedule, client and marriage expert	1.00
	AA emails to Lisa Meeks re: new defs and leg history (.2); email to al (.1)	0.30
	AAG General Issues - research recognition issues, email experts	0.60
	AAG General Issues - research recognition cases and read koppelman book	1.00
08/15/2013	LC Collection of law review articles	1.70
	AA Read draft expert report and take notes	2.00
08/16/2013	AA research on Obama's statements re Windsor interpretation	0.10
08/18/2013	AAG General Issues - review all emails and expert corres, send responses, continue work on experts, review and respond to emails re spring grove.	1.20
08/19/2013	AA research tax issues and standing	1.60
08/20/2013	AAG General Issues - meet with Jaci re experts and legal theory	0.60
	AA Research (5); Meeting with AG (.7)	5.70
08/22/2013	AA Telephone conference with Prof. Grossman	0.30
08/23/2013	AA email expert	0.10
08/26/2013	AA email re strategy (.2); phone call to witness (.2); research (.5)	0.90
08/27/2013	AA emails with co counsel (.2); read expert report (1.5); call to Prof Peplau (.1);	

			Hours
		draft/research motion for dec judgment (1.2)	3.00
08/29/2013	AA	Telephone conference with Susan Becker	0.30
08/30/2013	AA	Discussion with AG and JB re: strategy	0.60
	AAG	General Issues - review status of various issues, telephone conference with probate atty re new couples with deceased partner, telephone conference with state, telephone conference with city, research issues, draft memo re same, strategy discussed	2.50
	AAG	General Issues - telephone conference with new clients, telephone conference with city re death certificate, research	2.30
	AA	General Issues - status conference (.2); phone conference re: strategy (.4); draft proposed TRO (.3); email and organize file (.3); research (.7)	1.90
	AA	Revise Am Compl and motion	0.30
	AAG	General Issues - telephone conference with new clients and jim, draft amended complaint, motion amend, tro, mot tro, research	2.10
09/03/2013	AAG	Draft edits to michener pleadings and draft stipulation email all to counsel	0.80
	AAG	Draft edits, draft stip, telephone conference with potential marriage client, review expert materials, telephone conference with obergefell, email with counsel and court	2.20
	AA	email retainer to Grossman (.2); file organization (.5)	0.70
	AAG	General Issues - review documentation to make clear michener authority re ives remains, email same to counsel, edit stip, send to counsel, discuss stip, file with court, email client	0.90
	AAG	Trial/hearing - tro hearing re michener	0.30
	LG	Research on Ohio Tax Commissioner	0.90
	AA	TRO hearing re: Michener (.2); save files (.1); phone call with Chase at ACLU (.4); discussion with AG (.2); phone calls with Herzig and funeral home (.5); read re recognition case in SC (.1); phone call to client Michener (.1)	1.60
	AA	read McKay's outline	0.20
09/04/2013	LG	Research on Ohio tax commissioner	1.40
	LG	research on tax commissioner	1.00
	AA	Draft motion (4); phone call with ACLU (.2)	4.20
09/05/2013	AA	read/edit Chauncey report	2.40
	AA	research SC same sex marriage case (.4);	0.40
	AA	Read/edit Chauncey report and email AG re all experts	1.70
09/06/2013	AA	read/edit Segura expert report	2.50
	AA	Read law clerk memos and discussion with him (1); call to expert Megan Fulcher (.1)	1.10
	LC	draft research memo on Windsor analysis	1.00
09/09/2013	AA	read Fulcher expert report and law clerk memo	2.00
09/10/2013	AAG	General Issues - respond to emails and research and draft class definition	0.60
	AAG	General Issues - review database of potential clients and witnesses and telephone conference with one witness to explore facts	0.50
	AAG	General Issues - telephone conference with defense counsel, research, email with cocounsel	1.10

			Hours
	AAG	General Issues - research new issues, telephone conference with aclu	1.00
	AA	phone call with Spring Grove atty (.3); conference with Bridget (.2); phone call with Chase (.4); scan and send email to Spring Grove (.2); research additional legal detriments to same-sex married couples in Ohio (1)	2.10
09/12/2013	AA	Read Becker Report	3.20
09/13/2013	AA	Telephone conference with Poul Lemasters/spring grove	0.20
	AAG	Research - research insurance issues and telephone conference with resource people	1.10
	AAG	Research insurance	0.30
	AA	Research (1); draft motion (.5); reading Grossman report (1.5); draft motion (1.7)	4.70
09/14/2013	AAG	Research death certificate and case strategy	2.00
09/16/2013	AAG	General Issues - research class issues	2.20
	AA	Telephone conference with Spring Grove atty (.2); email & discussion w/AG (.2)	0.40
	AA	research individual capacity issue	0.10
	AAG	General Issues - research and draft amended complaint and email with proposal	2.00
	LG	Research on mootness	3.10
09/17/2013	AA	Revise amended complaint	0.50
	AA	research re: state and federal guidance for filling out death certificates	0.30
	AAG	General Issues - telephone conference with defense counsel and review status of case and potential issues with class re appeal and timing, research	1.00
	AA	research appeal issue	0.70
	LG	Research on mootness	3.30
	LG	Research on mootness	1.50
	AAG	General Issues - review research on mootness, respond to email from defense counsel, research other issues, conf re death certificate	0.60
	LG	Researched the use of death certificates by surviving spouses. (AGG)	2.60
09/18/2013	AAG	Research windsor holding	1.60
	LG	drafted memo on importance of surviving spouse designation on Ohio death certificates.	2.10
	AA	meet re case planning with AG and JB	0.30
	AAG	Draft third party standing declaration, research, telephone conference with aaron h, telephone conference with brigid coontz re status of case	1.00
	LG	Researched duties of funeral directors.	0.40
	AA	research third party standing	1.90
	AA	phone call with client Obergefell-case update	0.10
09/19/2013	LG	Researched Funeral Directors duties and wrote memo.	0.60
	AAG	General Issues - draft second amend complaint, motion, emails, telephone conference with clients, telephone conference with defense counsel, research	4.20
	AA	case discussion w/AG	0.20
	AAG	Draft edits to amend motion and complaint	0.80
	AAG	Telephone conference with jim o re case status and issues	0.30
	AA	read and revise am compl (1.3) call with AG and client (.4)	1.70

			Hours
	AAG	Draft edits to motion and complaint	0.80
	AA	Review AG's edits to Am Compl	0.10
09/20/2013	AA	call with HRC	0.10
09/24/2013	AAG	General Issues review pleadings filed by defts	0.70
	AAG	General Issues - prep for status, annotate complaint, draft stipulations	1.20
	LG	Researched FMLA spouse definition and wrote a memo.	4.60
	AAG	General Issues - telephone conference with defense counsel, email plan, email clients, plan next steps	1.00
09/25/2013	AA	Telephone conference with court re motion to amend and motion to dismiss (.3); mtg with AG (.2)	0.50
	AAG	General Issues - prep for and do hearing on mot amend, review expert declarations, email experts and cocounsel	4.50
	AAG	General Issues - review expert reports	2.60
	AAG	Draft THIRD AMENDED COMPLAINT	0.40
	AAG	Draft edits to complaint	0.60
	LG	Researched public statements by Robert Grunn (AGG).	0.10
	LG	Meeting - met with Robert Grunn at his funeral home.	0.80
09/26/2013	AAG	General Issues - review expert declaration and email expert and cocounsel	0.90
	JLB	Draft edits to 3rd amended complaint	0.70
	AA	emails from AG (.2); filing am compl (.2); read and edit third am compl (.3)	0.70
	AAG	General Issues - edit complaint	0.50
	AAG	General Issues - screening	1.00
	AA	email to expert fullcher	0.10
	AAG	General Issues - research birth certificates and learn facts	1.00
	AAG	General Issues - visit with funeral director and draft ideas for supplemental declaration on standing	1.50
09/27/2013	AAG	General Issues - emails with ACLU	0.20
	AAG	General Issues - telephone conference with expert, email with expert, telephone conference with atty with ideas on gay marriage from his cases in N Ohio	0.70
	AA	read emails (.2); read answer in KY case (.2); research (1.5) review expert reports and phone call with Grossman (3)	4.90
09/30/2013	AA	Telephone conference with Lisa	0.20
10/01/2013	LG	Draft - Grunn Declaration.	1.20
	LG	Research standing.	0.50
10/02/2013	AA	Review WV case	0.10
	LG	Research standing and draft Grunn declaration.	3.00
10/03/2013	AA	read peplau new version of report (1.7); research (.2)	1.90
	AA	Read McKay report	1.50
10/04/2013	LG	General Issues - draft Grunn Declaration	0.50
	AA	Discussion with law clerk and email Dr. Peplau	0.20
	LG	Researched and wrote memo on the Standing of Grunn.	2.10

			Hours
10/05/2013	AAG	General Issues - review emails from client, review draft declaration re funeral director standing, respond to other emails re case	1.00
10/06/2013	AA	email with expert Segura (.1); drafting fof and col (.2)	0.30
	LC	draft tiers of scrutiny section of merits brief	2.40
10/07/2013	LG	Draft Standing Motion	3.50
	AA	Read/Organize 7 expert reports and emails with co counsel	5.00
10/08/2013	AAG	General Issues - review standing issues and edit grunn declaration	0.50
	LG	Drafted final Robert Grunn declaration.	0.30
	AAG	General Issues - review expert declarations and research and email co counsel re next steps to finish all of them	2.00
	AA	return phone calls to potential witnesses and telephone conference with client (.3); research and draft merits brief (3.5)	3.80
10/09/2013	AA	Draf merits brief, read and incorporate expert reports	7.00
10/10/2013	AA	Finalize expert reports (1.5); draft fof and col and merits brief (1.5); read mckay report revisions (1.1)	4.10
	AA	draft merits brief	2.30
10/11/2013	LC	compile law review articles, citations	1.00
	AA	review Dr. Peplau report for filing (.2); research and draft merits brief (5.6)	5.80
10/14/2013	LC	draft merits brief/research	4.90
	AA	Draft merits brief	4.20
	AAG	General Issues - research and start drafting MIO to standing brief, telephone conference with obergefell, draft declaration, telephone conference with client	3.80
	LG	Draft response to motion to dismiss grunn	5.40
10/15/2013	LG	Drafted response to motion to dismiss Grunn. (AGG)	5.00
	AAG	Draft edits to standing memo	0.80
	AA	Draft merits brief (5.5); Draft resp to mtd (1)	6.50
10/16/2013	LG	Drafting standing memo for Grunn (AGG)	4.80
	AAG	Draft edits to standing memo	2.10
	AAG	General Issues - review memo, draft summary explaining case	0.70
10/17/2013	AA	Revise proposed final order	0.50
	AAG	General Issues - start work on merits brief, research	0.50
	AAG	Draft perm inj order, motion and memo, draft research task re scope of relief	1.00
10/18/2013	AAG	Draft merits brief	1.30
	LG	Research on breadth of relief in as applied challenges -- AEP	2.90
	AAG	General Issues - edit brief	0.50
	LC	edit merits brief	0.90
	LG	Research on the remedies available in as-applied cases	4.00
10/19/2013	AAG	General Issues - draft and edit and research merits brief on perm injunction. outline additional thoughts	4.50

			Hours
10/20/2013	AAG	General Issues - research	0.50
	LC	Revise Merits Brief	7.40
10/21/2013	AA	read emails	0.20
	LG	Research on as-applied remedy -- AEP	1.20
	LC	revise merits brief	3.50
10/22/2013	AAG	General Issues - emails and calls re death and next steps re his death certificate	1.00
	LG	General Issues - drafted notice of death filing.	0.80
	AA	draft merits brief	5.00
	AAG	Draft merits brief	1.50
	AAG	Draft merits brief	1.00
10/23/2013	AA	case discussion with AG	0.20
	AAG	Draft merits brief and research same	2.40
	LG	Research Tax filing issue in Ohio for David Michener (AGG)	1.40
	AA	revise merits brief	1.50
10/24/2013	AA	revise merits brief	6.00
10/25/2013	AAG	Draft brief	2.50
	AA	revise merits brief	4.00
	AA	discussion with ACLU	0.10
10/26/2013	AAG	Draft edits to merits brief	1.20
10/28/2013	AA	draft merits brief section	1.00
	AAG	Draft edits to merits brief and review others edits	5.40
	AAG	Draft edits to merits brief	1.30
	AA	revise merits brief	4.50
	PAR	Draft Table of Contents	0.70
	AAG	Draft edits to merits brief	1.60
10/29/2013	AA	revise merits brief, motion and proposed order	4.60
10/30/2013	AAG	General Issues - research and review issues re standing argument	2.30
	LG	Research facial attacks (AGG).	1.90
	AAG	General Issues - prep for, meet with clients and argue the standing issue	4.10
	AA	prep for hearing on mtd	1.20
11/01/2013	AA	Telephone conference with court (.1); redact and send death certs to court (.3)	0.40
	AA	Read Court's order on mtd	0.20
11/19/2013	AAG	General Issues - review state brief and start research and outline of ideas for reply	2.80
	LG	Research on facial and as applied challenges -- AEP	4.90
11/20/2013	AAG	Research - consult with aclu	0.50
	AA	read memo in opp	2.00
	AA	draft and file motion for extension of time	0.30

			Hours
	AAG	General Issues - plan drafting, review request for amicus	0.40
	LG	Research on as applied challenges -- AEP	5.30
11/21/2013	LG	Research on as applied and facial challenges -- AEP	2.50
	LG	Research on as applied and facial challenges -- AEP	3.90
	AA	email with ACLU	0.10
11/22/2013	AAG	General Issues - meet with ACLU as resource on marriage issues	1.00
	LG	Research on as applied challenges -- AEP	2.80
	LG	Drafting memo on as applied and facial challenges -- AEP	3.70
11/24/2013	LC	draft rational basis section of reply brief	0.80
11/25/2013	AA	Draft reply brief	4.60
	LG	Memo on as applied or facial challenge -- AEP	2.50
	LG	Memo on as applied and facial challenges -- AEP	0.70
	LG	Memo on as applied and facial challenges -- AEP	2.20
11/26/2013	AA	research/draft reply brief	5.30
	AAG	General Issues - research and review amicus	0.80
	AAG	General Issues - work on parenting issues	0.50
11/27/2013	LG	Reviewing amicus brief -- AEP	3.00
	LC	Finding articles cited in CCV amicus brief	0.20
	AA	research and draft reply brief	7.00
11/29/2013	LC	Review of CCV amicus brief articles	5.70
11/30/2013	AAG	Draft and research reply brief	9.10
12/01/2013	AAG	Draft - and research reply	1.00
	AAG	Draft and research reply	1.60
	AAG	Draft and research reply	2.60
12/02/2013	AAG	General Issues - meet re next steps re research on reply	0.30
	LG	Drafting section for reply brief on as applied relief -- AEP	2.10
	LG	Drafting section of the reply brief on as applied relief -- AEP	2.00
	LG	Revising section of brief on as applied relief -- AEP	1.00
	LC	research response to CCV's amicus brief	1.30
	LG	Researching for as applied section of reply brief -- AEP	1.20
12/03/2013	AAG	Draft edits and research re reply	1.80
	AAG	General Issues - draft edits and research reply, email aclu	0.80
	LG	Drafting response to CCV amicus -- AEP	2.80
	AAG	General Issues - draft and research edits to reply	0.50
	LC	research CCV amicus brief problems	2.70
	LG	Drafting response to CCV amicus brief -- AEP	5.30
12/04/2013	LG	Drafting reply to CCV amicus -- AEP	2.90
	AAG	Draft edits to reply and research same	0.70
	LG	Drafting reply to CCV amicus brief -- AEP	3.60

			Hours
12/05/2013	AAG	Draft edits to CCV amicus brief argument in response	1.50
	LG	Revising draft of reply to CCV amicus -- AEP	1.90
	AA	revise merits reply	5.00
12/06/2013	AA	research re heightened scrutiny	0.20
	AA	call/emails to potential witnesses and update casemap	0.30
	AA	phone call with potential witness (.3); revise reply brief (2)	2.30
	AA	read portions of Perry trial transcript	0.30
12/09/2013	AAG	Draft - edits to brief	0.70
	AA	Revise brief and send to paralegal for finalization	0.50
	PAR	Draft Table of Contents & Table of Authorities	0.70
	AA	finalize reply brief	1.70
12/16/2013	AAG	General Issues - prep for argument	2.40
	AA	research issues for oral argument (1); call clients (.2)	1.20
	AA	research for oral argument	0.50
	AAG	General Issues - prep for argument, read cases	3.80
12/17/2013	AAG	General Issues - prep for argument	2.30
	AAG	General Issues - prep arg	1.00
	AA	research re sixth circuit cases and prep for argument (6.4); phone meeting with AG, ACLU, and Adam (.5)	6.90
	AAG	General Issues - arg prep	3.00
	AAG	Phone conference with ALCU, Adam, and Jaci	0.50
12/18/2013	LG	Research common law marriage (AGG)	0.10
	AAG	General Issues - prep for and argue permanent injunction	5.90
	JLB	Trial/hearing attend oral argument	2.30
	AA	prepare for hearing and second-chair hearing on the merits	3.50
	AA	call with client); research and draft resp to mot to stay	0.80
12/19/2013	AA	research re mot to stay	1.90
12/20/2013	AA	draft/research mot to stay	1.30
	AA	read Utah decision and draft and filie notice of supp authority	0.50
12/23/2013	JLB	General Issues review decision	0.50
	AAG	General Issues - review utah decision, review our decision and email with clients and counsel	2.50
	JLB	Review decision	0.50
12/24/2013	JLB	General Issues review fees	0.10
01/06/2014	AA	research utah case	0.70
01/07/2014	AA	research briefing utah case	0.20
01/08/2014	AA	call to potential witness/client	0.10
01/14/2014	AA	read oklahoma case	0.20

			Hours
01/21/2014	AAG	General Issues - telephone conference with aclu re next steps on appeal	0.20
	AA	Telephone conference with witness	0.20
01/27/2014	AA	read/revise complaint	0.40
01/28/2014	AAG	General Issues - telephone conference with chase and james and draft memo afterwards, review status of other cases	0.70
01/30/2014	AA	Read WV case decision	0.20
02/04/2014	AA	call Grunn re corporate disclosure statement	0.10
02/05/2014	LG	Research on attorney's fees -- AEP	1.00
	JLB	Draft fee motion	5.90
	LG	Memo on apportionment of attorney's fees -- AEP	3.50
	AAG	General Issues - edit fee motion and attachment	0.60
	AA	Read and correct time sheets for fee petition	1.10
02/06/2014	JLB	Review time sheets, edit, delete hours worked	1.60
	JLB	General Issues-final review of timesheets	0.10
	AA	revise time sheets for fee petition	0.60
	AA	edit and file motion for fees and affidavits	0.60
02/13/2014	AAG	General Issues - research appeal issues	0.30
	AAG	General Issues - research appeal	0.50
02/14/2014	AAG	General Issues - conference call about expedited briefing and amicus	0.50
	AAG	Draft mot expedite argument and research same	1.60
	AA	revise and finalize motion to expedite	1.50
02/17/2014	AA	web search and email counsel re: order implementation	0.20
	AAG	Draft response re amicus and review potential amicus	0.50
02/21/2014	AA	read response to mot to expedite and read rules re: reply	0.30
02/23/2014	AAG	Draft reply to memo opposing mot to expedite	1.00
02/24/2014	AA	revise reply brief and email co counsel; discussion with AG	2.00
	AAG	Draft edits to reply and telephone conference with jaci re same	1.00
	AA	file reply brief	0.10
02/25/2014	AA	email counsel (.1); read implementation of Order from ODH (.2); discuss with AG (.1)	0.40
03/03/2014	AA	research rules re amicus	0.20
	AAG	General Issues - emails re next steps on appeal	0.50
03/07/2014	AA	Telephone conference with co-counsel ACLU	0.80
	AAG	General Issues - prep for and do conf call with aclu	1.00
03/12/2014	AAG	General Issues - read Utah amicus brief	0.40
	AAG	General Issues - conf call re marriage amicus	0.60

			Hours
03/14/2014	AAG	General Issues - Telephone conference with KY LAWYERS re status of their appeal	0.50
	AAG	Telephone conference with chase re briefing	0.30
	LG	General Issues - meeting to discuss ODH notice (AGG)	0.50
	AA	call Robert Grunn	0.10
03/17/2014	LG	Research injunctive relief and contempt and draft edits to notice (AGG)	1.30
	AA	email re amending notice from Director Wymyslo and revise notice	0.20
	AAG	General Issues - review edits to notice. meet on same	0.80
	AA	meeting with AG and Adam	0.10
03/18/2014	AAG	General Issues - edit notice and edit release to gay outlets	0.70
	AA	call client grunn (.1)	0.10
03/19/2014	AAG	General Issues - review inquiry and article from funeral newsletter and respond	0.50
	AA	read email and article re implementation of order from funeral directors	0.20
	AAG	General Issues - review email from funeral director newsletter, write responses to his questions and telephone conference with newsletter editor	1.00
	AA	discuss implementation with AG and call with funeral director	0.80
03/20/2014	AAG	General Issues - conf call with parties interested in case	0.60
03/21/2014	AA	call with Poul Lemasters re implementation of Order	0.20
	LG	General Issues - edit reply brief (AGG)	4.20
03/25/2014	LG	General Issues - draft reply brief (AGG)	2.30
	LG	Draft reply brief (AGG)	0.10
03/26/2014	LG	Draft reply brief (AGG)	1.30
04/02/2014	AAG	General Issues - emails re briefing	0.30
	AAG	General Issues - prep and participate in amicus brief coordinating call	1.40
04/03/2014	AAG	Telephone conference with cocounsel at ACLU and prep for same, send emails afterwards related to amicus and timing issues	0.70
04/06/2014	AAG	General Issues - research issues related to sixth circuit appeal in response to michigan request for en banc hearing	1.90
	AAG	General Issues - exchange emails re appellate strategy	1.00
04/07/2014	LG	Research on en banc review -- AEP	5.00
	AAG	General Issues - emails re appeals strategy	0.50
04/08/2014	LG	Research and memo on en banc review -- AEP	6.50
04/09/2014	LG	Research and memo on en banc review -- AEP	1.20
04/11/2014	AAG	General Issues - read law re en banc, telephone conference with resource on sixth cir procedure, draft email re en banc to cocounsel	3.10
	AAG	General Issues - research and start draft of amicus brief in DeBoer case.	1.00

			Hours
	LG	Drafting amicus brief against DeBoer en banc petition -- AEP	4.80
04/13/2014	LG	Drafting amicus brief against DeBoer en banc hearing -- AEP	2.00
04/14/2014	LG	Drafting amicus brief against petition for en banc review -- AEP	1.50
	AAG	Draft memo re amicus on en banc	1.00
	LG	Revising amicus in response to petition for en banc review -- AEP	1.00
04/15/2014	AAG	General Issues - conf call re amicus and email firm re work on amicus	0.70
	JLB	Draft edits to 6th Cir amicus brief for Michigan case	0.40
04/17/2014	AAG	General Issues - review record re briefing	1.00
04/18/2014	AAG	General Issues - research and draft notes and a long email re structure re appellate brief, draft edits re mot more pages, email re same	5.80
04/19/2014	AAG	Draft edits and do research on appeal brief	3.20
04/21/2014	AAG	Draft edits to appeal brief	4.40
	AAG	General Issues emails re brief	0.50
	AAG	General Issues - review marr certif, order, email all re death certif for Graham	0.30
04/22/2014	AAG	General Issues - review death cert of Graham and send by email to parties	0.20
	AAG	General Issues - research and edit brief	2.10
	AAG	General Issues - edit brief, research	0.90
	AAG	Draft edits and research re brief	1.50
04/23/2014	AAG	General Issues - email proposed intervenors, review materials	0.70
	AAG	Draft edits to brief	0.70
	LG	Research on time to reply for motion to intervene -- AEP	0.60
	LG	Research on intervention on appeal -- AEP	1.10
	AAG	General Issues - review issues re intervention, telephone conference with state, email counsel	0.70
04/24/2014	AAG	General Issues - emails with client and cocounsel	0.50
	AAG	General Issues - telephone conference with obergefell status	0.30
	LG	Research on intervention on appeal -- AEP	1.70
	LG	Drafting reply in opp to motion to intervene -- AEP	4.10
04/25/2014	LG	Drafting reply in opp to motion to intervene - AEP	3.50
04/26/2014	AAG	General Issues - work on intervention and en banc issues	0.50
04/29/2014	AAG	Draft edits to intervention memo	0.70
04/30/2014	AAG	General Issues - read amicus brief	0.60
05/02/2014	AAG	General Issues - telephone conference with death certificate client	0.50
06/04/2014	AA2	General Issues - review funeral director association general counsel's announcement (AGG)	0.20

			Hours
06/20/2014	AAG	Research - emails with ACLU	0.30
07/07/2014	AAG	Telephone conference with sixth circuit re argument	0.30
07/09/2014	AA	emails to clients	0.20
07/12/2014	AAG	General Issues - prep for argument	0.80
07/14/2014	LC	General Issues - reviewing assignment	0.20
	LC	Office conference with Jaci	0.25
	LC	Researching cases for argument prep	1.20
	LC	Researching for argument prep	0.60
07/15/2014	LC	Research for oral argument prep	0.70
	LC	Research for oral argument prep	1.60
	LC	Research for oral argument prep	2.10
	LC	Research for oral argument prep	0.20
07/16/2014	LC	Research for oral argument prep	1.10
	LC	Research for oral argument prep	1.60
	LC	Research for oral argument prep	1.00
	LC	Research for oral argument prep	0.60
	LC	Research for oral argument prep	0.70
	LC	Research for oral argument prep	0.30
	LC	General Issues - updated Jaci, putting together binders	1.80
	LC	Research for oral argument prep	0.20
07/17/2014	LC	Drafting materials for oral argument prep	0.90
	LC	Drafting materials for oral argument	0.80
	LC	Drafting materials for oral argument.	0.80
	LC	Research for oral argument prep	0.40
	LC	Research for oral argument prep	0.90
	LC	Drafting materials for oral argument	1.20
	LC	General Issues - organizing and prepping materials for oral argument	2.50
	LC	General Issues - organizing and prepping materials for oral argument	0.50
07/18/2014	LC	General Issues - organizing and prepping materials for oral argument	1.30
	LC	General Issues - organizing and prepping for oral argument	0.20
	LC	General Issues - organizing and prepping materials for oral argument	0.20
	AA	prepare for oral arguments	0.60
	LC	General Issues - organizing and prepping materials for oral argument	0.90
	LC	General Issues - organizing and prepping materials for oral argument	0.70
	LC	General Issues - organizing and prepping for oral argument	0.10
07/21/2014	LC	General Issues - organizing and prepping for oral argument	0.30
	LC	Drafting amicus summaries	1.30
	LC	Drafting amicus summaries	0.20
	LC	Drafting summaries of amicus briefs	1.80
	LC	Drafting summaries of amicus briefs	0.20
	LC	Drafting summaries of amicus briefs	0.30
	LC	Drafting summaries of amicus briefs	0.60
	LC	Drafting summaries of amicus briefs	0.50

			Hours
	LC	Drafting summaries of amicus briefs	0.60
	LC	Drafting summaries of amicus briefs	0.50
	AAG	General Issues = respond emails re panel	0.20
07/22/2014	LC	Drafting summaries of amicus briefs	1.10
	LC	Research for oral argument prep	1.20
	LC	Researching for oral argument prep	1.20
	LC	Researching for oral argument prep.	0.50
	LC	Drafting summaries of amicus briefs	1.40
	LC	Drafting summaries of amicus briefs	1.00
	LC	Research for oral argument prep	1.00
07/23/2014	LC	Research for oral argument prep	1.80
	LC	Research for oral argument prep	1.20
	LC	Drafting amicus summaries	0.80
07/24/2014	LC	Drafting amicus summaries	1.20
	LC	Drafting summaries of amicus briefs	1.90
	LC	Drafting amicus brief summaries	0.70
	LC	Drafting summaries of amicus briefs	0.40
	LC	Drafting summaries on amicus briefs	0.40
	LC	General Issues - organizing and prepping materials for oral argument	0.30
	LC	Research for oral argument prep	0.20
	LC	Research for oral argument prep	0.20
	LC	Research for oral argument prep	0.30
	LC	Research for oral argument prep	1.30
07/25/2014	LC	Research for oral argument prep	0.90
	LC	Research for oral argument prep	0.40
	LC	Research	0.10
	AAG	General Issues - start argument prep	0.50
	LC	General Issues - organizing materials for AI	0.10
	LC	Research for oral argument prep	0.10
	AAG	General Issues - prep for and do conf call with oralists and attys re sixth cir argument	3.50
07/26/2014	AAG	General Issues - prpe for argument, study amicus and notes and research cases	6.70
07/27/2014	AAG	General Issues - review briefs, prepare for argument, review detailed notes from coalition partners and start outline referencing back to cases and briefs	4.70
	AAG	General Issues - review caselaw	1.00
07/28/2014	LC	General Issues - oral argument prep	2.10
	LC	General Issues - oral argument prep, went to 6th circuit court house to pick up documents	1.50
	LC	Research for oral argument prep	1.60
	LC	Research for oral argument prep	0.10
	LG	Research and prep for 6th Circuit arguments -- AEP	6.90
	AAG	General Issues - read 4th circuit and 10th circuit decisions, study record, prep arg outline in more detail, study charts made of case materials, continue work on arg pints	5.20

			Hours
07/29/2014	LC	Research for oral argument prep	1.10
	LC	Research for oral argument prep	0.90
	LC	Research for oral argument prep	0.30
	AAG	General Issues - read cases and notes and prepare outline, start review of amicus briefs, edit arg outline as review materials, read briefs in other sixth cir cases to be argued	4.70
	LG	Preparation for 6th Circuit oral arguments -- AEP	2.70
	LC	Research for oral argument prep	1.00
	LC	Research for oral argument prep	1.10
	LC	Research for oral argument prep	0.70
	AAG	General Issues - arg prep, continue to work on notes for arg, work on equality foundation, windsor application, continue review of amicus briefs	5.00
	LC	Research for oral argument prep	0.70
	AA	draft notice of supplemental authority	2.90
07/30/2014	LC	Research for oral argument prep	0.90
	LC	Research for oral argument prep	0.50
	AAG	General Issues - study bishop concurrence re animus argument and review notes per that theory, review record compared to windsor, edit arg notes	2.50
	LG	Prep for oral arguments -- AEP	1.20
	LC	Research for oral argument prep	1.00
	AA	finalize supplemental authority letter (1.2); prepare for oral arg (.2)	1.40
	AA	research re analogy to common law marriage	0.20
	LC	Research for oral argument prep	0.70
	LC	Research for oral argument prep	1.20
	LC	Research for oral argument prep	0.40
	LC	Research for oral argument prep	0.80
	AAG	General Issues - review outline from national groups with suggested questions	1.20
	LC	Research for oral argument prep	1.20
	LC	Research for oral argument prep	0.30
	AAG	General Issues - travel to Nashville, listen to sup ct and appellate court arguments in marriage equality cases	5.00
07/31/2014	LC	Research for oral argument prep	1.10
	LC	Research for oral argument prep	0.10
	LC	Research for oral argument prep	0.80
	LC	Research for oral argument prep	0.70
	LC	Research for oral argument prep	0.40
	LC	Research for oral argument prep	0.60
	AAG	General Issues - prep for and do moot with 20 attendees from national groups and other sixth cir cases, debrief, attend other oralist moots and participate in their debriefing	12.00
08/01/2014	LC	Research for oral argument prep	0.10
	LC	Research for oral argument prep	1.00
	LC	Research for oral argument prep	0.40
	AAG	General Issues - travel back from Nashville moot meeting, listen no more arguments, review emails re arg points and continue prep	5.50
	LC	Research for oral argument prep	2.10
08/03/2014	AAG	General Issues - review notes from moot and read resources as follow up and	

			Hours
08/04/2014		start adjusting arg structure to reflect advice from moot participants incl reading on hx of loving case and review of cases cited therein, study status of SS marriage in all states now and compare 1967/miscegenation	3.70
	AAG	General Issues - continue adapting outline to notes from moot, work on fundamental right to carry marriage across state lines, read Turner carefully, read MI brief, study AI issue and amend notes, start on role of "animus"	4.30
	LG	prep for marriage arguments -- AEP	0.40
	LC	Research for oral argument prep	0.80
	LC	Research for oral argument prep	1.00
	AAG	General Issues - finish edits on arg notes, read sutton articles and notes re same. Ask law clerks for more. respond emails, exchange infor with Ellen re AI re facts on donors	3.40
	LC	Research for oral argument prep	0.50
	LC	Research for oral argument prep	0.30
	AAG	General Issues - start study of FFC arg.	0.70
	LC	Research for oral argument prep	2.50
08/05/2014	AAG	General Issues - prep for and do moot on FFC, draft arg points and email to cocounsel	4.40
	AAG	General Issues - review amicus briefs	1.40
	LC	Research for oral argument prep	1.70
	LC	Research for oral argument prep	0.60
	LC	Research for oral argument prep	1.50
08/06/2014	LC	Research for oral argument prep	0.40
	AAG	General Issues - prep for and argue appeal, meet with clients	9.50
09/09/2014	LC	Research - updated chart of decisions	0.30
	LC	Research - updating marriage equality chart	0.50
	LC	Research - updating marriage chart	1.10
09/10/2014	LC	Drafting updated marriage equality chart	1.40
10/06/2014	AAG	Draft edits to supp authority	0.60
	AAG	General Issues - calls and emails with clients re impact of cert rulings	0.50
	AAG	Draft more edits to supp authority	0.30
	AA	research, create spreadsheet, and draft supplemental authority	3.50
10/13/2014	AAG	Telephone conference with - read ninth circuit ruling	1.00
11/06/2014	AA	calls to clients and email (.5); review decision (.2)	0.70
	AAG	General Issues -read sixth cir decision and conf call with lawyers	1.50
11/07/2014	JLB	Review decision	0.70
	AA	read opinion and draft arguments (4.5); call clients (.1)	4.60
	AAG	General Issues - prep for and do conf call with various counsel, read decision	1.00

			Hours
11/09/2014	AAG	General Issues - study decision from 6th cir	1.50
11/10/2014	AA	research supreme court rules, call co counsel and email	0.50
11/11/2014	AAG	General Issues - edit cert petition and research	4.00
	AAG	General Issues - prep for and participate in conf call re cert	0.80
	AA	Draft revisions to cert petition and conference call	3.90
	AA	research/read chapter from Daniel Pinello on amendment's effects	0.40
11/12/2014	LG	Format section of certiorari petition -- AEP	0.90
	AAG	Draft edits to cert petition and email counsel and research	2.20
	AAG	General Issues - conf call with co counsel	0.50
	AA	revise/draft portions of cert petition and correspond with co-counsel	3.30
	AA	final review of cert petition	0.30
11/13/2014	AA	call with witness/possible client	0.10
	AA	call with witness/update spreadsheet	0.10
	AA	Final review of cert petition	1.10
11/14/2014	AAG	General Issues - review final cert petition	0.50
	AA	email petition to clients	0.10
11/17/2014	AAG	General Issues - phone call with resource person who has experience with the court	0.70
	AA	Telephone conference with volunteer re supreme court	0.70
	AA	send notice/waiver on counsel (.2); email with co counsel (.2)-jgm	0.40
11/26/2014	AA	locate and download all Supreme Court filing from Sixth Cir.	0.20
12/03/2014	AAG	General Issues - telephone conference with atty gen re cert response	0.20
12/05/2014	AA	Telephone conference with co counsel	0.40
	AAG	General Issues - conf call cocounsel re cert	0.30
12/15/2014	AAG	General Issues - study ohio brief in response to cert, calls with cocounsel	1.70
	AA	Telephone conference with co counsel and prepare waiver letter	0.50
12/18/2014	AAG	Draft edits to cert reply	0.50
12/22/2014	AA	email potential client	0.20
01/18/2015	AAG	General Issues - read marriage documents in prep for conf call	3.50
01/20/2015	JLB	Telephone conference with co-counsel	1.00
	AAG	General Issues - prep for and do ohio team conf call and send emails as follow up	2.50
01/21/2015	AA	Telephone conference with Susan Sommer and email AG	0.20
01/23/2015	AA	revise joint appendix draft ((.7) and talk to co-counsel Paul Castillo (.3)	1.00
01/24/2015	AA	email re amicus	0.10

			Hours
01/26/2015	AA	scan/email orders and instructions from SCOTUS	0.40
	AA	send counsel of record form to clerk	0.20
01/29/2015	AAG	General Issues - prep for meeting and hold meeting with Jim Obergefell	2.30
02/03/2015	AA	call scotus clerk	0.20
	LC	Research - articles on same-sex marriage and other constitutional issues in the courts	5.10
02/05/2015	LC	Research - big picture articles on same-sex marriage	1.30
02/10/2015	AA	Telephone conference with former clerks and co-counsel (1); read Posner decision (.3); call with David Michener (.2)	1.50
02/13/2015	AA	Read and edit merits brief (3); Telephone conference with Ohio team (1.3)	4.30
	AA	research and send briefs to AG for Merits brief preparation	0.20
02/15/2015	AA	Revise merits brief (2.3); draft amicus form letter and master list and email co-counsel re amicus requests (.3)	2.60
	AA	draft edit to merits brief re quote by Black	0.20
02/17/2015	AA	read statement of the case	0.20
02/18/2015	AA	draft amicus consent letters, email re amicus consent, update amicus chart and circulate chart (1); edit merits brief (4)	5.00
	AA	Ohio team conf call	1.20
	AA	email Susan re revisions	0.20
02/19/2015	AA	review edits to merits brief (.2) draft request for argument seating letter and email to co-counsel (.5); review/update amicus consent call with Susan Sommer (.3); email AG with updates and revise letter (.2)	1.20
02/20/2015	AA	revise merits brief	1.50
	AA	Ohio team call (1.5) and follow up email to Susan (.2)	1.70
02/22/2015	AA	email co-counsel	0.10
02/23/2015	AA	edit brief cover page	0.10
02/24/2015	AA	read/revise merits brief	0.20
02/25/2015	AA	log all amicus consent letters (.3) and email with clients and co-counsel (.2)	0.50
02/26/2015	LC	Research - oralists	1.80
02/27/2015	AA	office meeting (.6); conference call (.5); call clients (1.2); answer emails and log amicus letters (.5); draft press release (.2)	3.00
03/02/2015	AA	Read and save emails re amicus and Supreme Court planning (.5); call to Lambda and ACLU (.5)	1.00

			Hours
03/09/2015	LG	SAF - Fnd and download oral arguments. Dowload pdf version of briefs onto shared drive	2.16
03/10/2015	LG	SAF - Find and download oral arguments for Romer, Lawrence. Continue to download pdf version of briefs to shared drive. Fwd to co-counsel, Susan Sommer. Organize hard copy of briefs.	3.00
	LG	SAF - Read Marriage Merits Brief. Draft chart. Read 2 amici briefs. Upload audio of oral arguments to drop box.	2.00
03/15/2015	LG	Read 3 briefs	1.16
03/16/2015	AA	Telephone conference with all counsel on oralist questions	1.50
	LG	SAF - 3 briefs	1.75
03/17/2015	LG	Move pdf versions of briefs from email to shared drive. Fwd to Susan Sommers. Address new task. Organize new hardcopies of briefs. Read 3 briefs.	2.58
	LG	SAF - Read briefs. Fwd remaining pdf versions to so-counsel.	4.33
03/18/2015	AA	set up and prep for moot (1.5)	1.50
	LG	SAF - Organize respondent amici briefs. Read briefs.	5.33
03/19/2015	AA	prepare for and hold practice moot (6); contact clients (.1)	6.10
	LG	Read briefs	10.66
03/20/2015	AA	research marriage laws in various states	0.20
	LG	Finish reading briefs	3.50
03/21/2015	LG	SAF - Documented statistics on amici briefs, polygamy research task, Casey and Lawrence on Loving task, Standards of Review Task	5.42
03/22/2015	LG	Continue standards of review task, Right to Travel task	9.71
03/23/2015	LG	Research on illegitimacy classifications -- AEP	0.40
	LG	Moot practice conference call -- AEP	2.50
	AA	prep for and hold practice moot	3.00
	LG	Review Q&A notes from pre-moot phone conference -- AEP	1.10
	LG	Research on illegitimacy cases -- AEP	2.20
	AA	research in preparation for oral argument (1.7); conference call with co-counsel (.2)	1.90
	LG	SAF - Celebration Rule task, Summarize 2 amici briefs discussed in practice moot	4.58
03/24/2015	LG	Research on legitimacy -- AEP	2.10
	AA	analyze data on marriage equality in various states (.5); update chart of plaintiffs in sixth cir/read brief and declarations (1); record practice questions (.5); prep for oral argument generally/respond to AI's questions (.6)	2.60
	LG	SAF - Research 6th Cir. Opinion on specific harms to our client task, continue Right of Celebration task. Begin reading Respondent amici briefs	2.46
03/25/2015	JLB	Travel to and from Louisville re SCOTUS argument prep	4.00
	JLB	General Issues attend SCOTUS argument prep in Louisville	4.00

			Hours
03/26/2015	LG	SAF - Organize electronic versions of respondent amici briefs, distribute electronic versions to co-counsel, read respondent amici briefs	1.32
03/27/2015	AA	read reply brief	0.40
	LG	Organize electronic copies, email to co-counsel, read amici briefs	0.91
03/28/2015	LG	SAF - Read Respondent Briefs	1.33
03/29/2015	LG	SAF- Read Respondent Briefs	0.50
03/30/2015	AA	Ohio team call	1.20
	LG	SAF - Organize electronic versions of briefs, forward to co-counsel, organize hard copies. Read Respondent Briefs.	1.41
03/31/2015	LG	SAF - Organize electronic versions of briefs, forward to co-counsel, organize hard copies. Read Respondent Briefs.	1.08
04/01/2015	LG	SAF - Organize electronic versions of briefs, forward to co-counsel, organize hard copies. Read Respondent Briefs.	1.58
04/02/2015	LG	SAF - Organize electronic versions of briefs, forward to co-counsel, organize hard copies. Read Respondent Briefs.	3.83
04/03/2015	LG	SAF - Organize electronic versions of briefs, forward to co-counsel, organize hard copies. Read Respondent Briefs.	4.75
04/04/2015	LG	SAF - Read respondent briefs	4.00
04/05/2015	LG	SAF - Read respondent briefs	3.50
04/06/2015	AA	email opp counsel	0.10
	LG	SAF - Organize electronic versions of briefs, forward to co-counsel, organize hard copies. Read Respondent Briefs.	6.25
04/07/2015	LG	SAF - Amici Brief Statistics, Observations re; Respondent Briefs to AI	0.50
04/09/2015	LC	General Issues - emailed AI about reprinted brief	0.10
04/14/2015	AA	call with counsel from TN and KY teams	0.50
04/16/2015	LC	General Issues - emailed Jaci about amicus brief reprint	0.10
04/17/2015	AA	Telephone conference with James and Susan	0.50
04/24/2015	AA	prepare for oral arguments and logistics for clients	2.50
04/25/2015	AA	prepare logistics and client information for oral argument	0.90
04/26/2015	AA2	General Issues - travel to DC	3.00
	AA	travel to DC	3.00

			Hours	
04/27/2015	AA2	General Issues - manage clients during DC arrival and events, prep them for argument day	2.00	
	AA	General Issues - manage clients during DC arrival and events, prep them for argument day	2.00	
04/28/2015	AA2	General Issues - manage clients attendance at argument, attend argument, attend follow-up events	4.00	
	AA	General Issues - manage clients attendance at argument, attend argument, attend follow-up events	4.00	
	AAG	attend oral argument	4.00	
04/29/2015	AA2	General Issues - travel back to Cincinnati	3.00	
	AA	travel back from DC	3.00	
	AA	review timesheets	0.50	
06/05/2015	AA	Telephone conference with all co-counsel and meet with AG and JB (1.2); put together forms for email to opp counsel (.2)	1.40	
06/08/2015	AA	draft orders and email and research name change issues	2.00	
06/10/2015	JLB	General Issues review draft implementation documents and emails	3.00	
06/15/2015	JLB	General Issues check to see if SCOTUS ruled	0.20	
07/21/2015	AA	Telephone conference with Spring Grove attorney	0.20	
	JLB	Telephone conference with counsel re fee petition issues	0.50	
	JLB	Research fee petition issues, discuss with AI (.2), give law clerk research	0.90	
07/24/2015	AA	review and email birth certificates to clients	0.20	
07/27/2015	JLB	Telephone conference with Bridget re fees and final order	0.10	
07/28/2015	JLB	Draft joint motion to file fee petition	0.50	
07/31/2015	JLB	Draft edit EE fee application and send email, review all declarations, outline fee motion, draft fee motion	3.00	
09/10/2015	JLB	Draft supp fee petition for Obergefell and fee petition for Henry	7.30	
09/11/2015	JLB	Draft edits to fee motion, draft AAG declaration, research multiplier	3.10	
		For Current Services Rendered	1267.30	357,901.50

RECAPITULATION

	Hours	Hourly Rate	Total
ASSOCIATE ATTORNEY	335.80	\$250.00	\$83,950.00
Associate Attorney2	12.20	215.00	2,623.00
Gerhardstein, A.A.	410.60	475.00	195,035.00
LAW GRADUATE	272.50	130.00	35,425.00
Law Clerk	172.85	85.00	14,692.25
Jennifer Branch	61.05	425.00	25,946.25
PARALEGAL I	0.90	100.00	90.00

	<u>Hours</u>	<u>Hourly Rate</u>	<u>Total</u>
PARALEGAL II	1.40	100.00	140.00

07/19/2013	Filing Fee - U.S. DISTRICT COURT		400.00
07/22/2013	COPY COSTS - FED EX OFFICE		12.56
08/08/2013	Book: Marriages Cross State Lines - Amazon		23.33
09/15/2013	Conference call - CINCINNATI BELL ANY DISTANCE		14.00
09/22/2013	Deposition: HB 272 video transcriptions - ELITE REPORTING AGENCY		1,488.40
10/13/2013	Professional Services - Transcript of TRO hearing - JODIE D. PERKINS, RMR, CRR		164.25
10/19/2013	Professional Services - JOANNA GROSSMAN		5,500.00
11/30/2013	Professional Services - FROST BROWN TODD LLC		4,350.00
11/30/2013	Professional Services - ANNE PEPLAU		300.00
12/22/2013	Professional Services - GARY SEGURA		1,500.00
03/22/2014	Professional Services - Transcript - JODIE D. PERKINS, RMR, CRR		343.10
07/28/2014	ORAL ARGUMENT DISKS - CLERK, U.S. COURT OF APPEALS, 6TH CIR		120.00
07/30/2014	Mileage to & from Nashville 580 x \$.55 - AAG		319.00
08/01/2014	Hotel/Motel - Bellemeade Inn - Nashville TN		258.52
02/05/2015	Air Fare from Toledo to Washington DC and from Washington DC to Cincinnati OH - UNITED AIRLINES		1,200.20
02/08/2015	Professional Services - DR MEGAN FULCHER		1,925.00
03/22/2015	Professional Services - STEPHANIE FRANXMAN, ATTORNEY		600.60
03/28/2015	Professional Services - STEPHANIE FRANXMAN, ATTORNEY		439.20
03/29/2015	Mileage to and from Louisville (210 miles) - AAG		116.55
03/29/2015	Hotel/Motel - HAMPTON INN - LOUISVILLE KY		273.22
03/29/2015	Dinner - The ORIGINAL IMPELLIZZERI'S - LOUISVILLE KY		35.72
03/29/2015	Mileage Ann Arbor (500 miles) - AAG		277.50
03/30/2015	Air Fare - CVG to Washington DC - JACI GONZALES MARTIN		323.20
04/12/2015	Professional Services - STEPHANIE FRANXMAN, ATTORNEY		517.14
04/20/2015	Mileage (550 miles); AAG		305.25
04/20/2015	Hotel/Motel - HOLIDAY INN - HILLVIEW KY		111.29
04/22/2015	4/21/15 - 04/24/15 - Hotel/Motel - HOLIDAY INN - WASHINGTON DC		1,623.38
04/26/2015	Air Fare - CVG TO WASHINGTON DC - Adam G		250.70
04/27/2015	Hotel/Motel - HOLIDAY INN - WASHINGTON DC		890.82
04/27/2015	4-27-15 - 4-29-15 - 4 Taxis - AAG		65.00
04/28/2015	4/26/15 - 4/28/15 - Taxis, Metrorail and Meals in Washington DC - ASSOCIATE ATTORNEYS: ADAM GERHARDSTEIN & JACI MARTIN		279.08
04/28/2015	Meals - dinner with two associate attorneys - WASHINGTON DC		192.80
04/28/2015	4/22/15 - 4/25/15 - 3 TAXIS; MEALS 79.72; PARKING \$35 - AAG		194.72
04/29/2015	CLUB QUARTERS - WASHINGTON DC - TWO ASSOCIATE ATTORNEYS: \$769.44 EACH		1,538.88
06/25/2015	6/25/15 - 6/26/15 - TAXIS \$40; Lunch Washington DC \$38; Parking at CVG \$13 - AAG		91.00
06/25/2015	Hotel/Motel - HOLIDAY INN - WASHINGTON DC		308.01
06/28/2015	COPY COSTS - S.C.T. PRINTING BRIEFS - JENNIFER KINSLEY		239.00
	TOTAL EXPENSES		26,591.42
	TOTAL CURRENT WORK		384,492.92

Balance Due

\$384,492.92

Statements Printed:	1
Hours:	1,267.30
Fees:	357,901.50
Expenses:	26,591.42

GERHARDSTEIN & BRANCH
A Legal Professional Association
432 Walnut Street, Suite 400
Cincinnati OH 45202
(513) 621-9100

Birth Certificate Litigation
Henry Case

Page: 1

09/11/2015

Account No: 6522-00

STATEMENT NO: 1

Interim Statement

			Hours
10/31/2013	LG	Research jurisdiction and TRO possibility. (AGG)	1.50
11/01/2013	LG	Research urgency for adoption TRO.	1.30
11/15/2013	AA	conference with AG and Adam	0.20
	AA	calls to Lisa Meeks and experts re adoption	0.20
	AA	Telephone conference with Susan Becker	0.20
	AA	Telephone conference with Fred Moore	0.10
11/26/2013	LG	Research scope of case and facts to put in complaint. (AGG)	4.10
11/27/2013	LG	Research claims available to plaintiffs (AGG)	1.60
12/10/2013	LG	Draft complaint and case strategy memo (AGG).	3.80
12/11/2013	LG	Draft complaint and strategy memo (AGG)	1.50
12/12/2013	LG	Draft Complaint and Strategy Memo (AGG)	2.40
12/13/2013	LG	Telephone conference with lisa and Barbara (AGG).	0.70
	LG	Draft complaint and strategy Memo (AGG)	2.70
	AA	discussion with AGG	0.40
12/16/2013	LG	Telephone conference with Lisa Meeks and research on preliminary injunction (AGG).	0.70
	AA	read memo and research	1.80
	LG	Research preliminary injunction (AGG).	1.20
	AA	Read Koppelman article	0.80
12/17/2013	LG	Research 11th circuit adoption case and related law (AGG).	0.70
	LG	Research venue and preliminary injunction (AGG).	1.70
	LG	Telephone conference with ACLU and follow up (AGG).	0.80
	LG	Research Mandamus (AGG)	1.40
12/18/2013	LG	Draft complaint (AGG)	4.50

			Hours
12/27/2013	AA	revise complaint/research	3.50
12/29/2013	AAG	General Issues - review legal memo and draft pleadings, telephone conference with Freedom ohio, review emails	1.50
12/30/2013	LG	General Issues - review strategy correspondence (AGG)	0.10
	AAG	General Issues - review legal research and work on strategy	1.40
	LG	Draft complaint and Preliminary Injunction (AGG).	4.10
	AA	Research possible claims	1.80
12/31/2013	LG	Draft complaint and preliminary injunction (AGG)	3.30
	AA	revise complaint and draft declaration	2.00
01/02/2014	LG	Researched assignment of cases (AGG).	0.10
	AA	read law review article and research	3.00
01/03/2014	AAG	General Issues - review drafts and meet on strategy	1.30
	LG	Draft pleadings and case meeting (AGG).	2.40
	AA	Research and revise draft pleadings (3), meeting with AG and AGG (1)	4.00
01/06/2014	AA	research NJ case and email	1.20
	AAG	Research case re adoption, email expert	0.60
	AAG	General Issues - review issues and facts	0.60
	AAG	General Issues - interview plaintiffs	0.30
	AAG	General Issues - research	1.00
01/08/2014	AAG	General Issues - research, telephone conference with client, telephone conference with essig	1.00
01/10/2014	LG	Draft pleadings (AGG)	2.10
	AA	call client (.1); research/draft (3.9)	4.00
01/13/2014	LG	Draft - memo for preliminary injunction (AGG).	1.00
	AAG	General Issues - telephone conference with ellen, telephone conference with lisa re strategies on case, legal research	1.20
01/17/2014	AAG	General Issues - telephone conference with ginn re new plaintiffs	0.40
01/18/2014	AAG	General Issues - telephone conference with potential client and research claim	0.70
01/19/2014	AAG	General Issues - research and draft complaint	2.20
01/20/2014	AAG	Draft and research complaint re birth certificate	3.40
01/21/2014	LG	Draft complaint and memorandum (AGG).	3.80
	AAG	General Issues - telephone conference with lisa and ellen re new plaintiffs and draft complaint and meet jaci and adam re next steps	0.80
	AA	Draft complaint and declaration (1); meet with AG and AGG (.4)	1.40
	AA	Discussion on Adoption STAR with AGG	0.20
01/23/2014	AAG	General Issues - meet with family law expert essig	1.50
	AAG	Telephone conference with Lambda re potential plaintiffs and claims	0.90

			Hours
01/25/2014	AAG	General Issues - research and draft complaint, interview new client, email with new client and email with Brittani	3.60
01/26/2014	AAG	General Issues - email resource people	0.30
01/27/2014	AAG	General Issues - telephone conference with Ginn re plaintiffs and legal claims	0.30
	AAG	General Issues - research and think through status of potential plaintiffs and issues raised by each, telephone conference with ginn	1.00
	LG	Draft complaint (AGG)	1.40
01/31/2014	AAG	General Issues - review draft complaint and declaration and ideas, edit same and email Lambda	2.20
02/01/2014	AAG	General Issues - meet with advocates from around the state re birth certificate case	0.50
	AAG	General Issues - draft edits and send emails clients and counsel	1.90
02/03/2014	AA	read emails and draft pleadings	0.80
02/04/2014	AA	revise complaint, order, and motion	2.70
02/05/2014	AAG	General Issues - edit complaint and ginn declaration, telephone conference with essig re new plaintiffs, email lambda	1.30
	AA	draft declaration re Vitale (1); call with client Rogers (.4); draft Rogers declaration (.5); draft motion (1.1); call with client Vitale (.2); revise complaint per co-counsel comments (.3)	3.50
	AA	email AG	0.10
	AA	revise complaint and motion	0.80
	AAG	General Issues - draft pleadings	1.30
02/06/2014	AA	draft and revise complaint, declarations, and motion	3.60
	AA	Edit motion for preliminary injunction.	0.50
02/07/2014	AAG	General Issues - edit documents respond to emails re parties and claims	1.40
	AAG	General Issues - draft pleadings and declarations, email with cocounsel, edit pleadings and declarations	2.40
	AAG	General Issues - telephone conference with client, edit declarations	1.00
	LG	Draft Memorandum (AGG)	0.60
	AAG	General Issues - draft pleadings and declarations, research, review emails	3.80
	AA	read email and review documents (.4); email and call clients (.3); discussion with AG (.2); research local rules for filing (.1)	1.00
	AA	revise complaint	0.40
02/08/2014	AAG	General Issues - edits all documents, telephone conference with clients, review emails cocounsel, others, plan for filing	7.60
	AA	call with client and read emails	0.20
02/09/2014	AA	email client (.1); finalize supporting docs for filing (.3); edit complaint (1.7); edit motion and prepare all exhibits (3.2); discussion with AG (.2)	5.50
	AAG	General Issues - edit memo, telephone conference with and email clients and cocounsel	0.70

			Hours
02/10/2014	AAG	General Issues - final edits all documents, plan for client meeting, email counsel	2.00
	AAG	General Issues - meet with clients and meet with clients, email and talk to counsel	1.50
	AA	General Issues - meet with clients and meet with clients, finalize all pleadings for filing	3.20
	PA1	talk to AI about tasks for today, service, filing complaint	2.00
	AAG	General Issues - telephone conference with defense counsel, plan next steps, research remedy and research irrep harm, timing, email counsel	1.70
	AA	research Ohio statutes regulations on birth certificates	1.00
	AA	call with client Noe	0.10
	AAG	General Issues - research	0.30
	AA	research birth records	0.20
02/11/2014	AAG	General Issues - review and respond emails and draft q for vital statistics discussion with city	0.70
	AA	meet with AI and discussion with opp counsel re: birth certificate procedure	1.00
	AAG	General Issues - research facts of birth certificates and set out detailed task re stipulations	1.80
	AA	Telephone conference with court; discussion on strategy with AG; call with opposing counsel	1.00
	AA	email with clients	0.10
	AA	Telephone conference with co-counsel and meeting with AG and JB	1.40
	AAG	General Issues - research, telephone conference with counsel, telephone conference with LAMBDA, read lambda briefs other cases, email strategy memo	5.30
	JLB	Telephone conference with AG, JGM and LAMBDA re next steps and case plan	1.00
02/12/2014	AAG	General Issues - respond to emails and review lists for next steps	0.50
	AA	read email from client	0.10
	LG	research on issuance of birth certificate -- AEP	0.40
	AA	call with Lisa Meeks	0.10
	LG	Research on birth certificate issuance procedures -- AEP	1.20
	AAG	General Issues - telephone conference with atty re potential new clients or witnesses, research	0.50
	LG	research on birth certificate issuance process -- AEP	0.30
	LG	Research on issuance of birth certificate -- AEP	0.90
	AAG	General Issues - study ky decision	0.60
02/13/2014	AA	research KY marriage decision	0.40
	LG	Drafting stipulations on issuance of birth certificate -- AEP	2.70
	LG	Drafting stipulations on issuance of birth certificate -- AEP	2.60
02/14/2014	LC	research assignment re: Iowa S Ct. decisions	1.50
02/15/2014	AAG	General Issues - review research and send email re state law claims	0.20
02/17/2014	AAG	General Issues - edit stips, research, send email re status	1.70
	LG	Revising, annotating stipulations -- AEP	1.50
	AAG	Draft edits to stipulations and research same	0.80

			Hours
	AA	email re: FFC claim (.1); discuss stipulations with AG (.1); revise and verify stipulations (.8); create witness database and call one witness (.7)	1.70
02/18/2014	AA	email with co-counsel (.2); draft table re: other states treatment of birth certificates (.4); call potential witnesses (.4)	1.00
02/19/2014	AA	Update table on other states' handling of birth certificates	0.10
	AA	call with witness	0.10
02/20/2014	AA	research another OH marriage case and email ag	0.30
	AAG	Telephone conference with LAMBDA re legal theory and briefing	0.60
	AAG	Draft follow up to lambda call	0.20
02/21/2014	AA	research state law effects of not having birth certificate and draft memo	5.00
02/24/2014	AA	email counsel	0.10
	AA	read Columbus birth certificate case and discuss with co counsel	0.50
02/25/2014	AA	finalize and file motions for phv (.12); revise mot for perm injunction brief (4); annotate complaint/read answer by State (.5); revise stipulations (.1)	4.08
	AAG	Draft edits to perm inj brief	1.40
02/26/2014	AA	research and revise perm inj brief	4.00
	AAG	Draft edits to brief for perm inj and research same	2.10
	AA	research and revise merits brief, discuss with AG (2); draft proposed order (.5); draft declaration attachment to brief (.5); draft motion (.2)	3.20
	AAG	General Issues - review edits on mot perm inj, research facial challenge, review new texas case, draft notice atty general	1.50
	JLB	Draft edits to order, motion	0.50
02/27/2014	AAG	General Issues - conference call co counsel	0.80
	AA	Telephone conference with LAMBDA (.5); editing brief and attachments (1.4)	1.90
	AAG	General Issues - edits to brief, order, notice and research same, telephone conference with Coontz, email to counsel	2.40
	AA	Telephone conference with co-counsel and revise pleadings	0.80
	AAG	General Issues - edit and research changes to order, motion, conf re scope of motion	2.00
	LC	Research Iowa relief	1.40
	AA	revise perm inj motion (.2); research re facial challenge (.2)	0.40
02/28/2014	AAG	Draft edits to stips, research	0.50
	AAG	Draft edits to stip	0.90
	AA	Revise perm inj brief (1)	1.00
	AAG	Telephone conference with defense counsel re stip, notes	0.30
	AA	Finalize Brief	0.50
	AAG	Draft edits to stips	0.20
	AAG	TOA and proofing brief	0.30
	AA	research re reversible error (.3); revise memo (1); revise stipulations (.2)	1.50
	AAG	Draft edits to stips, email re same and get filed	0.30
03/03/2014	AA	read research memo re: similar Iowa birth cert case	0.40

			Hours
03/10/2014	AA	read Indiana case	0.10
03/18/2014	LC	Research DC authority to determine scope of a case, as applied to facial challenge	3.40
03/19/2014	AAG	General Issues - start review of birth certif state brief	0.50
	AAG	General Issues - plan reply related work	1.00
03/20/2014	LG	General Issues - meet about reply brief (AGG)	0.20
	AAG	General Issues - research reply	0.70
	AA	discuss strategy with AG (.1); research/prep for oral argument (.6)	0.70
	AAG	General Issues - research reply	2.50
	AAG	General Issues - research re reply	1.50
	AAG	General Issues - research reply	0.50
	AAG	General Issues - research reply, email clients and cocounsel	0.30
	AAG	General Issues - conf call call attorneys working on reply brief	0.60
	AA	research for reply brief (2); call with co counsel and draft response (1.4)	3.40
03/21/2014	AAG	General Issues - research, plan work on reply and moot	0.30
	LC	Continued research and drafting on facial challenge issue	
	LC	Research and draft memo regarding facial challenge	3.00
	AAG	General Issues - research reply	1.50
	AAG	Draft thoughts on facial challenge	0.70
	AA	draft reply section	2.70
03/24/2014	AAG	General Issues - edit draft of standing argument	0.30
03/25/2014	AA	call client Barbara Ginn	0.10
	AAG	General Issues - edit standing for reply	0.90
	AA	revise standing memo (.2); research and draft equal protection section of reply	5.10
03/26/2014	AAG	Draft edits to standing	1.50
	AAG	General Issues - draft reply sections on baker and doma and edit standing	1.40
	AA	Draft/Revise Reply Brief	5.00
	LG	Drafting motion to substitute Himes for Wymyslo -- AEP	0.30
	AAG	Draft reply	3.30
03/27/2014	LG	Revising merits reply brief -- AEP	4.40
03/28/2014	AAG	General Issues edit brief and email cocounsel	1.20
	LG	Revising merits brief, creating chart of harm to plaintiffs -- AEP	4.80
	LG	Creating chart of post Windsor rulings, editing brief -- AEP	1.40
03/31/2014	AAG	Draft edits to brief and harms list and plan for argument	2.40
	LG	Creating chart of post-Windsor marriage decisions -- AEP	2.40
	LG	Editing reply brief -- AEP	4.00
	LG	Creating chart of Post-Windsor marriage rulings -- AEP	1.10
04/01/2014	AAG	General Issues - start plan of argument, edit harms chart, email clients and cocounsel, telephone conference with sommer re arg	1.60
	LG	Creating chart of post-windsor marriage decisions -- AEP	5.00
	JLB	Research final edits to reply	1.00

			Hours
	PA1	Create and edit TOA and TOC, file pleading, call court, additional edits, file again	2.40
	LG	Creating summary chart of full faith and credit opinions -- AEP	2.20
04/02/2014	LG	Creating chart of full faith and credit decisions -- AEP	3.70
	LG	Creating chart of full faith and credit decisions -- AEP	1.50
04/03/2014	LG	Creating chart of full faith and credit decisions -- AEP	2.50
	AAG	General Issues = research all issues, outline ideas for arg, meet with susan sommer, research stay, prep for arg	9.00
04/04/2014	AAG	General Issues - prep for arg, meet with cocounsel and clients	7.00
04/09/2014	LG	General Issues - email clients about case status (AGG)	0.30
04/14/2014	AAG	Telephone conference with - interested parties and clients and emails re expected decision	0.50
	AAG	Draft stay brief and review decision	1.00
	AAG	Telephone conference with clients and emails re stay and other questions	0.70
	AAG	Draft edits to stay brief and email re same, email clients re strategy and review their responses	1.00
04/15/2014	AAG	General Issues - amicus in deboer - review for filing	0.50
04/16/2014	AAG	General Issues - review stay and respond to cocounsel and clients	1.00
04/17/2014	AAG	General Issues - emails re relief - birth certificates	0.60
04/18/2014	LG	General Issues - follow up with same-sex family seeking relief (AGG)	0.10
04/21/2014	AAG	General Issues emails with Vitale and related emails	0.50
04/23/2014	AAG	General Issues - review and respond to client emails re birth certificates	0.30
04/29/2014	AAG	General Issues - emails re relief	0.30
05/01/2014	LG	General Issues - call back potential witnesses and answer questions about how lawsuit affects them (AGG)	0.10
05/03/2014	AAG	General Issues - emails with clients about relief	0.30
05/16/2014	JLB	Review time records and draft stay of fee motion	0.30
	JLB	Review fees and email summary to OC	0.20
05/19/2014	JLB	Draft revised motion on fee stay, t/c OC re same	0.20
05/20/2014	JLB	Review emails from AI and co-counsel re amici, t/c case manager about process, email to counsel	1.00
05/27/2014	LG	General Issues - assisting clients obtain birth certificate for newborn (AGG)	0.40
06/02/2014	AAG	General Issues - plan for and telephone conference with cocounsel on henry	

			Hours
		and obergefell re sixth circuit, telephone conference with clerk, email plans to sommer	2.00
	AAG	General Issues email and edit motion re amicus briefs	0.50
06/10/2014	JLB	Draft joint consent for all amicus briefs	0.30
06/28/2014	AAG	Draft edits to appellee brief, research	0.60
06/29/2014	AAG	Draft edits to sixth cir brief, research same	5.00
06/30/2014	AAG	General Issues - conf call with susan and keith re sixth cir brief	0.90
07/02/2014	AA	review docket, discuss with AG, draft and file oral argument acknowledgment (JGM)	0.20
07/07/2014	AAG	General Issues - review brief	0.40
	AA	Telephone conference with co-counsel (.2); final read/edit of brief (5) (JGM)	5.20
07/08/2014	AA	finalize brief	0.20
07/09/2014	AA	email to clients	0.20
07/10/2014	AA	General Issues - correspond with Clients (AGG)	0.30
07/17/2014	AA	read reply brief	0.30
07/22/2014	AA	call with court reporter (.1); email with AG (.1)	0.20
	AA	email cocounsel	0.10
07/29/2014	AA2	General Issues - prep for oral arguments (AGG)	0.20
09/05/2014	AA	read 7th Cir decision, draft and file notice of supp authority	0.70
10/07/2014	AA	draft and file supp authority-9th cir	1.10
11/11/2014	AA2	General Issues - read decision and write about democracy	2.00
12/02/2014	AA	review email and videos from Lambda	0.20
12/10/2014	AA	emails w/co counsel (.1); emails to clients (.2)	0.30
01/05/2015	AAG	General Issues - email and telephone conference with with clients	0.50
01/07/2015	AAG	General Issues - edit releases, answer emails, telephone conference with client	1.10
	AA	Telephone conference with al and client	0.30
01/09/2015	AAG	General Issues - prep for and do conf call with clients	0.50
01/15/2015	AAG	General Issues - telephone conference with susan sommer and follow up email	0.60

			Hours
01/16/2015	AAG	General Issues - telephone conference with clients, review emails, send emails re decision	1.00
	AA	Telephone conference with co-counsel Meeks and Essig (1) and client (.2)	1.20
	AAG	General Issues - conf with clients, other attys, research, telephone conference with sup ct clerk	3.00
01/17/2015	AAG	General Issues - telephone conference with and email cocounsel on various issues, get binders and thumb drive ready with materials for reading before phone calls	2.60
	AAG	General Issues - telephone conference with cocounsel, email cocounsel, telephone conference with other counsel	0.50
01/19/2015	AA	Telephone conference with co counsel and research possibilities for Henry plaintiffs (1.5); call with Henry plaintiffs and co-counsel (1); email with co counsel (.2)	2.70
01/20/2015	AA	conference call (1.5); call with Kelly Noe (.2); email/calls with AG (.2); calls with clerk's office (.2)	2.10
	AA	Telephone conference with all 6th cir teams	0.80
	AA	Telephone conference with Paul Castillo	0.20
01/26/2015	AA	calls with clients (.3)	0.30
	AA	email Brittani Henry	0.10
01/28/2015	AAG	General Issues - conf call re sup court brief and record and client issues	1.40
01/29/2015	AAG	General Issues - review issues and suggest cuts in jt appx	1.50
01/30/2015	AAG	General Issues - meet B & B and review updates on status in case, prep for and do conf call re joint appx	3.00
01/31/2015	AAG	General Issues - draft email B & B confirming issues	1.20
02/02/2015	AAG	General Issues - exchange emails re client status with cocounsel and clients	0.30
	AAG	Telephone conference with susan re client status	0.20
	LC	General Issues - printed briefs, downloaded arguments for review	1.10
	AAG	Telephone conference with group planning meeting with solicitor general	1.30
	AAG	General Issues - do prep reading for SG meeting	1.40
	AAG	General Issues - follow up on henry - rogers family	0.50
02/04/2015	AAG	General Issues - review email re oral arg and fwd with comments	0.10
02/05/2015	AAG	General Issues - prep for and do call with sommer	0.30
	AAG	General Issues - research and study for SG meeting	3.00
02/06/2015	AAG	General Issues - prep for, attend meeting with Sol General, meet with petitioner counsel, travel back cvg, study brief draft	15.40
02/07/2015	AAG	General Issues - draft comments and edits and research issues re Sp Ct brief. email Ohio team	5.60
02/09/2015	AA	Read draft of brief and comments (.5); conference call with Ohio team (1.7)	2.20

			Hours
	AAG	General Issues - prep for and do conf call on merits brief	2.40
02/10/2015	AAG	General Issues - emails and prep for consult on SCOTUS brief	0.30
	AAG	General Issues - telephone conference with consultants and james and susan	1.20
02/12/2015	AAG	General Issues - emails re jt appx and amicus	0.30
02/13/2015	AAG	General Issues - review draft of sp ct brief	1.50
	AAG	General Issues - review draft brief and research	1.80
	AAG	General Issues - prep for and do conf call and research merits arguments	3.20
	AAG	General Issues - draft edits to merits brief and research	4.00
02/14/2015	AAG	General Issues - draft edits to brief	2.70
	AAG	General Issues - review emails and respond and review attachments re brief and ideas	0.60
	AAG	General Issues - edit brief, telephone conference with consultant	1.20
02/15/2015	AAG	General Issues - edit brief, research federalism	3.50
02/16/2015	AAG	General Issues - respond to emails and review new edits	0.70
	AAG	General Issues review emails re brief etc and read and comment on draft statement of case, send email re same	1.30
02/17/2015	AAG	General Issues - emails re amicus and other issues	0.30
02/18/2015	AAG	General Issues - edit brief	1.30
	AAG	General Issues - edits to brief, research	3.30
	AAG	General Issues - prep for and do conf call with cocounsel	2.10
	AAG	General Issues - review edits o brief	0.50
02/20/2015	AAG	General Issues - edit brief	2.60
	AAG	General Issues - edit brief	0.20
	AAG	General Issues - prep for and do team call on brief	2.70
02/21/2015	AAG	General Issues - review briefs and comments	0.70
02/22/2015	AAG	General Issues - read edits to brief and conf call re same	1.00
02/25/2015	AAG	General Issues - respond to emails, read brief	1.00
	AAG	General Issues - telephone conference with solicitor general re oral arg, review amicus emails, email other counsel record re arg	0.60
02/27/2015	AAG	General Issues - prep for cocounsel call, discuss issues, coordinate message, do joint press call	2.00
	AAG	General Issues - conf calls re oral arg and legal issues, amicus emails	1.50
	AAG	General Issues - start review of state briefs	1.00
02/28/2015	AAG	General Issues - emails re arg issues	0.30
03/01/2015	AAG	General Issues - study various state briefs and supreme court arguments of oralists	3.00

			Hours
03/02/2015	AAG	General Issues - read briefs and telephone conference with various and emails re oralists	2.90
03/05/2015	AAG	General Issues - review emails from amicus	0.50
	AAG	Telephone conference with various re oralist selection and emails re amicus and moots	0.70
03/06/2015	AAG	General Issues respond to emails re oral arg and amicus	0.40
	AAG	General Issues - emails and telephone conference with consultant re argument	0.40
	AAG	General Issues -emails and calls re argument, amicus	1.50
03/07/2015	AAG	General Issues - organize thoughts on argument and moot	0.80
03/08/2015	AAG	General Issues - prep for arg - listen to oral arg, read briefs, opinions	3.00
03/09/2015	AAG	General Issues - emails and planning re amicus organization and oralist	1.00
03/11/2015	AAG	General Issues - calls and emails re argument	2.30
	AAG	General Issues - calls and emails re oralist issues	1.30
	AAG	General Issues - telephone conference re oralist	1.00
03/12/2015	AAG	General Issues - review emails re argument and respond to same	0.20
	AAG	General Issues - review emails and conf call re oralist and divided arg	0.60
03/13/2015	AAG	General Issues - emails and calls re oralist	2.20
	AAG	General Issues - draft request for divided arg to court, reserch same, email and conf call re same	3.40
03/14/2015	AAG	General Issues - prep for moot court	9.00
03/15/2015	AAG	General Issues - prep for moot	0.40
	AAG	General Issues emails re motion divided arg	0.30
	AAG	General Issues edits and emails re divided arg motion	0.50
03/16/2015	AAG	General Issues - prep for and participate in dialogue re oralist	3.40
03/17/2015	AAG	General Issues - respond emails and start rev of arg notes - prep for moot	0.60
	AAG	General Issues - work on moot court	0.60
03/18/2015	AAG	General Issues - prep for moot	2.40
	AAG	General Issues - prep for moot and emails re supreme court and divided arg	3.00
03/19/2015	AAG	General Issues - prep for and do moot and then work on outline fo questions	11.80
03/20/2015	AAG	General Issues - prep arg outline	1.70
	AAG	General Issues - prep notes for moot and arg	1.80
	AAG	General Issues - work on arg notes	1.50
03/21/2015	AAG	General Issues - prep for arg, do notes and outline arg and email counsel	10.30
03/22/2015	AAG	General Issues - work on outline, research illeg, telephone conference with	

			Hours
		esseks	4.00
	AAG	General Issues - prep for arg	0.40
	AAG	General Issues - emails re marriage case	0.30
03/23/2015	AAG	General Issues - prep for and do practice moot	5.00
	AAG	General Issues - prep arg	2.70
	AAG	General Issues - prep for arg, telephone conference with clients	3.60
	AAG	General Issues - telephone conference with clients	0.30
03/24/2015	AAG	General Issues - prep for arg	0.90
	AAG	General Issues - arg prep	5.00
03/25/2015	AAG	General Issues - conduct process for deciding oralist and travel back cincinnati	11.00
03/26/2015	AAG	General Issues - telephone conference with carole re QP1 process	1.00
03/27/2015	AA	email Lambda and ACLU	0.10
	AAG	General Issues - telephone conference re process for sunday	0.50
	AAG	General Issues - telephone conference re oralist and amicus, emails	1.00
03/29/2015	AAG	General Issues - travel to Ann Arbor, meet with counsel from all four cases, engage in process re oralist selection	12.50
	AAG	General Issues	
03/30/2015	AAG	General Issues - read the state briefs, conf call re reply brief, travel back cincinnati	8.00
04/01/2015	AAG	General Issues - emails re amicus and moots	0.40
04/02/2015	AAG	General Issues - telephone conference with various re argument and themes	0.70
	AAG	General Issues - research religion issues related to marriage	1.00
04/03/2015	AAG	General Issues - work on ideas for reply	1.00
	AAG	General Issues - emails re amicus	0.50
04/08/2015	AAG	General Issues - read draft reply and research and do conf call and emails re edits	4.40
04/11/2015	AAG	General Issues - review draft reply and amicus briefs and offer edits	2.00
	AAG	General Issues - prep for and do team call on reply brief	1.10
04/13/2015	AAG	General Issues - review reply new draft, review edits from cocounsel do conf call,	0.90
04/19/2015	AAG	General Issues - drive part way to nashville for moot	2.00
04/20/2015	AAG	General Issues - finish travel to Nashville, prep for and attend moot and debrief, travel back	12.50
04/21/2015	AAG	General Issues - travel to DC for moots and prep	3.00

			Hours
04/22/2015	AA	call with Pam Yorksmith	0.20
	AA	Prepare for oral argument with Adam, co-counsel, and clients	1.50
	AAG	General Issues - prep for and meet with cocounsel, assist with two moots and debriefing	7.50
04/23/2015	AA	Telephone conference with Henry-Rogers family	1.00
04/24/2015	AAG	General Issues - SG moot, meetings and prep and then party moot and debriefing	12.00
04/25/2015	AAG	General Issues - travel back from DC	4.50
04/27/2015	AAG	General Issues - travel to DC for SCOTUS arg, index Jt appx, email doug	3.00
04/28/2015	AAG	General Issues - go to supreme court, get briefed, attend arguments, meet clients after	7.00
04/29/2015	AAG	General Issues - travel back from SCOTUS in DC	3.00
	AA	review timesheets	0.50
06/05/2015	AAG	General Issues - prep for and talk with counsel re next steps following any supreme court ruling	1.00
06/10/2015	AAG	General Issues - review draft email to state re implementation	0.50
	AAG	General Issues - edit email re implementation and consult re same	1.00
06/18/2015	AAG	General Issues - email with cocounsel re decision day issues and implementation issues	0.50
	AAG	General Issues - emails re decision day	0.50
06/24/2015	AAG	General Issues - email with cocounsel and plan decision day	0.50
06/25/2015	AAG	General Issues - telephone conference with cocounsel, email various re decision day	0.70
	AAG	General Issues - travel to DC for decision day	5.00
06/26/2015	AAG	General Issues - stand in line then attend court for decision, meet with clients and cocounsel, travel back to cincinnati	8.00
06/29/2015	AAG	General Issues - various implementation emails	0.50
	AAG	General Issues - emails re supreme court mandate, fees, implementation re name change and birth certificates	0.60
07/02/2015	AAG	General Issues - study decision	0.70
07/06/2015	AA	email clients	0.10
07/09/2015	AAG	General Issues - conf re birth certificates	0.50
07/10/2015	AAG	General Issues - telephone conference with and emails re implementation issues	0.50

			Hours	
07/11/2015	AAG	General Issues - work on implementation	0.50	
07/13/2015	AAG	General Issues		
		- emails re implementation	0.20	
	AA	email counsel re birth certificate titles	0.10	
08/06/2015	AAG	General Issues - review henry-rogers birth certificate and email re same	0.20	
08/07/2015	AAG	General Issues - emails to various about henry rogers birth certificate	0.20	
	AAG	General Issues - email with client and cocounsel	0.20	
	AAG	General Issues - emails re henry rogers birth certif	0.20	
		For Current Services Rendered	675.58	255,459.50

RECAPITULATION

	Hours	Hourly Rate	Total
ASSOCIATE ATTORNEY	118.58	\$250.00	\$29,645.00
Associate Attorney2	2.20	215.00	473.00
Gerhardstein, A.A.	442.00	475.00	209,950.00
LAW GRADUATE	93.50	130.00	12,155.00
Law Clerk	10.40	85.00	884.00
Jennifer Branch	4.50	425.00	1,912.50
PARALEGAL I	4.40	100.00	440.00

02/10/2014	Filing Fee - U.S. DISTRICT COURT	400.00
04/06/2014	Filing Fee - U.S. DISTRICT COURT	400.00
06/07/2014	Professional Services - court transcript - JODIE E. PERKINS, RMR, CRR	36.25
07/20/2014	COPY COSTS - 3 certified birth certificates - TREASURER, STATE OF OHIO	64.50
	TOTAL EXPENSES	900.75
	TOTAL CURRENT WORK	256,360.25
	Balance Due	<u>\$256,360.25</u>

Statements Printed:	1
Hours:	675.58
Fees:	255,459.50
Expenses:	900.75